

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CORNELIES STEVENS,

Plaintiff,

vs.

NEBRASKA DEPARTMENT OF
CORRECTIONAL SERVICES, in their
Official and Individual Capacities; SCOTT
FRAKES, in their Official and Individual
Capacities; DR. DEOL, in their Official and
Individual Capacities; DR. OGDEN, in their
Official and Individual Capacities; TERESA
ROYER, in their Official and Individual
Capacities; JANET ARAUCO, in their
Official and Individual Capacities; DR.
RALITHA JOHNSON, in their Official and
Individual Capacities; TAGARD BOYD, in
their Official and Individual Capacities; and
UNKNOWN DOCTORS, NURSES, STAFF,
in their Official and Individual Capacities;

Defendants.

8:23CV193

MEMORANDUM AND ORDER

On July 13, 2023, the Court ordered Plaintiff to show cause within 30 days why this case should not be dismissed for failure to pay the initial partial filing fee assessed by the Court on May 31, 2023. [Filing No. 13](#). The Court's order was returned as undeliverable, and on August 9, 2023, the Court ordered Plaintiff to update his address with the Court within 30 days or face dismissal of this action. [Filing No. 15](#). To date, Plaintiff has not updated his address or taken any other action in this matter.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this Court's orders.

2. Plaintiff's pending motion, [Filing No. 4](#), is denied as moot.
3. The Court will enter judgment by a separate document.
4. The Clerk of the Court is directed to send a copy of this Memorandum and Order and the separate judgment to Plaintiff at the address on file with the Court and to the following address: 4835 South 49th Street, Omaha, NE 68117.

Dated this 15th day of September, 2023.

BY THE COURT:



Joseph F. Bataillon
Senior United States District Judge